

Attorney's Docket No. 021286-0276339
Client Reference:

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Mikayama Toshifumi et al.

Application No.: 09/844,684
Filed: April 27, 2001

Group No.: 1644
Examiner: Gambel, P.

Mail Stop 16
Director of the U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

**REQUEST FOR REFUND
(IMPROPER CHARGE OF DEPOSIT ACCOUNT)**

I. REFUND REQUEST

This is a request for a refund, with respect to the charge to Deposit Account 502212, shown on the statement dated November 8, 2004, for the above-identified application.

II. FEES CHARGED FOR WHICH REFUND REQUESTED

	AMOUNT OF REFUND REQUESTED
Fee Code 1253 - Extension of term third month, large entity	\$2,080.00
TOTAL REFUND REQUESTED	\$2,080.00

III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR

\$2,080.00 was charged to our Deposit Account 502212 on April 5, 2005, for Fee Code 1253 (3 month extension of time, large entity), for the above-identified application. The extension of time fee was purportedly authorized by the undersigned.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8 and/or 1.10*

(When using Express Mail, the Express Mail label number is mandatory; Express Mail certification is optional.)

I hereby certify that, on the date shown below, this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: May 6, 2005

Signature

SACHIKO Y. SNEDDEN

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

Adjustment Date: 06/15/2005 SDIRETA1
04/05/2005 6DUCKETT 00000001 502212 09844684
01 FC:1253 2080.00 CR

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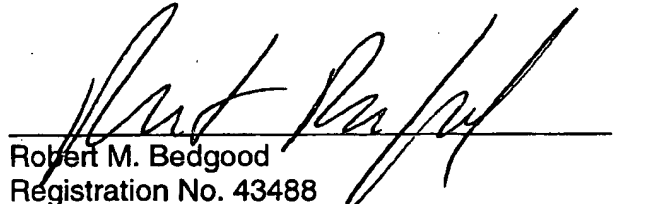
The last correspondence from the Applicants were Notice of Appeal and Amendment timely filed on September 2, 2004, with indication of sufficient fees in the amount of \$2,054 (\$774 for extra claims, \$950 for 3 month extension of time, \$330 for Notice of Appeal) and authorization of charge to Deposit Account 502212 for \$2,054, which was charged to Deposit Account 502212 on September 13, 2004.

Contrary to the statement in the Notice of Allowability mailed April 8, 2005, Applicants' representative was not advised that an additional extension of time fee was required to enter the Examiner's amendments. Thus, \$2,080.00 was erroneously charged to Deposit Account 502212 on April 5, 2005.

IV. MANNER OF REFUND

Please make refund by crediting Account No. 502212 under Order No. 021286-0276339.

Date: May 6, 2005



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